

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANTONIO SOLIS, JOSE SOLIS, and	)	
JUAN RANGEL, individually and on behalf	)	
of all others similarly situated,	)	Case No. 20-CV-2348
	)	
<i>Plaintiffs,</i>	)	Hon. Martha M. Pacold,
	)	District Judge
v.	)	
	)	Hon. Sunil R. Harjani,
HILCO REDEVELOPMENT LLC, <i>et al.</i> ,	)	Magistrate Judge
	)	
<i>Defendants.</i>	)	

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**DECLARATION OF JACOB KAMENIR**

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I, JACOB KAMENIR, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am the Senior Director of Notice at Simpluris, Inc. (“Simpluris”). Simpluris is a national full-service class action notice and claims administrator located in Costa Mesa, California.

2. I am an attorney licensed to practice in Minnesota, and hold a Master of Science in Industrial Administration (a variant of an MBA) from Purdue University.

3. I have an extensive background in data analytics and legal marketing, and lead Simpluris’ legal noticing team. I have developed and overseen, in whole or in part, over 200 notice programs and administrations, and have given both written and oral testimony on notice and administration procedures in federal and state court.

**SUMMARY OF RELEVANT EXPERIENCE**

4. Simpluris has been executing notice plans and administering class action settlements since 2007. In that time, we have been appointed in over 9,000 cases and distributed

over \$8 billion in funds. Our leadership team has over 100 years of combined industry experience that includes some of the largest class action administrations in the United States, including *In re: Equifax, Inc., Customer Data Security Breach*, Case No. 1:17-md-2800 (N.D. Ga.) and *In re: Premiera Blue Cross Customer Data Security Breach*, Case No. 3:15-md-2633 (D. Or.). Additional representative cases include *In re: Ambry Genetics Data Breach Litigation*, Case No. 8:20-cv-00791 (C.D. Cal.); *Orellana v. Planned Parenthood of Los Angeles*, Case No. 21STCV44106, Cal. Sup. Ct. (Los Angeles); *Cordova et al v. United Education Institute et al*, Case No. 37-2012-00083573, Cal. Sup. Ct. (San Diego); *Shuts v. Covenant Holdco, LLC*, Case No. RG10551807, Cal. Sup. Ct. (Alameda); *Hamilton et al v. Suburban Propane Gas Corp.*, Case No. BC433779, Cal. Sup. Ct. (Los Angeles); *Upadhyay et al v. Prometheus Real Estate Group*, Case No. 1-08-CV-118002, Cal. Sup. Ct. (Santa Clara); *Starke v. Stanley Black & Decker Inc.*, Case No. C-03-CV-21-001091, Md. Cir. Ct. (Baltimore); and *Hale v. Manna Pro Products LLC*, Case No. 2:18-cv-00209 (E.D. Cal.).

### **PRIVACY AND SECURITY**

5. Simpluris maintains robust data and cybersecurity practices, controls, and procedures. These include the use of layered, industry-leading software and hardware systems to prevent both external and internal unauthorized access to sensitive client and company data. Unique among other administrators, Simpluris has developed a comprehensive, integrated administration system, Cadence, which was designed specifically to provide the highest level of data privacy and anti-intrusion security. Our systems are monitored, tested, and constantly upgraded by a highly experienced team of IT professionals, and systemwide security is overseen directly by our CTO.

6. Simpluris is SOC 2 certified. SOC 2 is a standard developed by the American Institute of CPAs (AICPA) to ensure that customer data is handled in a way that meets strict security, availability, integrity, confidentiality, and privacy standards. Certification requires an extensive audit of all aspects of company data practices by a qualified independent CPA or accounting firm. A true and correct copy of our SOC 2 certification is attached hereto.

7. All Simpluris employees are required to undergo HIPAA training.

8. Simpluris will access and handle class member data solely for the purpose of administering this notice program.

9. Simpluris has been selected by the parties to be the Claims Administrator for the Settlement Agreement *Solis, et al. v. Hilco Redevelopment LLC, et al.*, Case No. 20-CV-2348 (N.D. Ill.). This declaration details the proposed notice plan (“Notice Plan”) that we will execute to provide notice to the Class in accordance with the requirements of due process, Fed. R. Civ. P. 23, and guidance from the Federal Judicial Center (“FJC”), as well as the administration procedures we will undertake in keeping with applicable laws and industry best practices.

10. Unless otherwise stated, capitalized terms in this declaration have the same meaning and are used in the same manner as in the Settlement Agreement.

### **OVERVIEW**

11. Simpluris has been selected by Class Counsel to serve as the class action Claims Administrator in this case, if approved by the Court. Simpluris will be charged with, among other responsibilities: (a) disseminating direct notice by U.S. mail to individually ascertainable class members; (b) hanging “door hanger” notice on the doors of accessible addresses within the Class Boundaries; (c) executing a publication notice program, consisting of a press release, publication of notice in newspapers, and digital media programmatically targeted to adults in the Chicago,

Illinois area; (d) establishing and maintaining a settlement toll-free telephone number; (e) developing and maintaining a settlement interactive website that will host class documents, as well as allow class members to submit claims online; (f) processing incoming claims, requests for exclusion, objections, and related class correspondence; (g) establishing and maintaining a 26 C.F.R. § 1.468B-1 compliant Qualified Settlement Fund (“QSF”); (h) calculating the amounts due to each class member pursuant to the settlement; (i) processing payments to class members who have made timely and valid claims; (j) preparing, processing, and filing all applicable tax forms and tax returns with state and federal agencies; and (k) providing appropriate notice to state and federal officials in compliance with the Class Action Fairness Act of 2005, 28 U.S.C. § 1715(b) (“CAFA”). Additionally, Simpluris will coordinate with counsel to organize one or more community outreach events to provide Class Members opportunities to learn more about the Settlement and submit claims in a face-to-face setting.

### **NOTICE PROGRAM**

12. The Notice Program design uses overlapping media channels to reach the maximum number of Class Members.

13. To create a mailing list, Simpluris will acquire the names and addresses of all Class Members who owned or leased residential or commercial property within the Class Boundaries on April 11, 2020. Prior to mailing the Notice, Simpluris will update the mailing address information for Class Members via the USPS National Change of Address (“NCOA”) database, which provides updated address information for individuals or entities who have moved during the previous four years and filed a change of address with the USPS. Additionally, all addresses will be processed through the USPS Coding Accuracy Support System (“CASS”) and Locatable Address Conversion System (“LACS”) to ensure deliverability.

14. Notice of the Settlement will be mailed to all identified Class Members as a double-sided postcard via the United States Postal Service (“USPS”). The postcard will have a detachable Claim Form, and the Claim Form will have pre-paid Business Reply Mail (“BRM”) postage. The Notice will use both English and Spanish to direct Class Members to the Settlement Website, described in Paragraph 21.

15. Notices returned to Simpluris by the USPS with a forwarding address will be re-mailed to the new address provided by the USPS and the Class Member database will be updated accordingly.

16. Notices returned to Simpluris by the USPS without forwarding addresses will be processed through a public records address verification search (commonly referred to as “skip tracing”) utilizing a wide variety of data sources, including public records, real estate records, electronic directory assistance listings, and other sources, to locate updated addresses.

17. When a new address is identified through the skip trace process, the Class Member database will be updated with the new address information and Notice will be re-mailed to that address.

18. Simpluris will also cause an abbreviated form of notice to be placed on the doors of all accessible addresses within the Class Boundaries in the form of door hangers. These door hangers will use both English and Spanish to direct Class Members to the Settlement Website, described in Paragraph 21.

19. Contemporaneous with the direct notice efforts, Simpluris will also execute a publication notice program. This will include a press release to Illinois media; publication of notice in the Chicago Tribune (106,156 print circulation) and La Raza (153,500 print circulation) newspapers; digital notice on the Facebook and Instagram social media platforms; and digital

notice in the form of programmatic banner ads (commonly called “website banner ads”). The social media and banner ad notices will demographically target adults 18 and older and geographically target to the area in and around ZIP Code 60623. Planned reach for digital notice is 98,167 impressions on Facebook and Instagram, and 24,542 impressions through banner ads.

20. All forms of publication notice will use both English and Spanish to direct Class Members to the Settlement Website, described in Paragraph 21, and all forms of digital notice will further be hyperlinked (“clickable”) to the Class Website.

21. Simpluris will establish and maintain a Settlement Website, at which Class Members will be able to easily view information about the Settlement, including a map clearly showing the Class Boundaries; review relevant Court documents, such as the Settlement Agreement and long-form notice; view important dates and deadlines pertinent to the Settlement, such as the Final Fairness Hearing; learn about the dates, times, and locations of community outreach events, as described in Paragraph 23; file claims; and select payment options. The website will be designed to be accessible and user-friendly from any device, and will include both English and Spanish versions. Documents identified by the parties will be translated into Spanish and made available on the Settlement Website.

22. A toll-free telephone number devoted to this case will be implemented to further apprise Settlement Class Members of the rights and options in the Settlement. The toll-free telephone number will be listed on the Notice and the Settlement Website. The toll-free telephone number will utilize an interactive voice response (“IVR”) system to provide Class Members with responses to frequently asked questions about the Settlement in both English and Spanish. This toll-free telephone number will be accessible 24 hours a day, 7 days a week.

23. Simpluris will coordinate with counsel to organize one or more community outreach events. These events will provide Class Members with opportunities to learn about the settlement in person, ask questions, and receive instruction and assistance to file valid claims. These events will be referenced in all forms of notice, and the dates, times, and locations will be prominently displayed on the Settlement Website.

24. The Notice Program described above is designed for maximum outreach. It utilizes multiple overlapping methodologies and channels in effort to reach the largest possible number of Class Members.

### **CLAIMS ADMINISTRATION**

25. As described in Paragraph 14, Simpluris will send paper Claim Forms as detachable, postage-paid postcards with the Notice. The Settlement Website will also have an online Claim Form that will substantively match the paper Claim Form. The online Claim Form will be designed to be easily accessible and viewed from all types of electronic devices, and will be available in English and Spanish. Claim filing assistance will be available at the community outreach events described in Paragraph 23.

26. Simpluris will coordinate with counsel to implement processes and procedures for validating Class Member claims, both for online and paper submissions. Simpluris will provide counsel timely reports on the quantity and type of claims submitted.

27. Dispute resolution for claims will be conducted in accordance with the Settlement Agreement and in consultation with counsel. Simpluris will timely notify counsel of any disputed claims.

28. Simpluris will immediately notify counsel if any requests for exclusion or objections are received.

### **AWARD DISBURSEMENT**

29. Simpluris will establish and maintain a 26 CFR § 1.468B-1 compliant Qualified Settlement Fund for this Settlement. Simpluris will ensure that all federal and state statutory and regulatory tax filing and reporting requirements are fully complied with and completed.

30. Once the Claims Deadline has passed, Simpluris will calculate individual award amounts based on the Settlement Agreement and disburse award payments accordingly.

31. Individuals who chose to receive their award payment digitally will receive tax documents, if required, via email. Individuals who chose to receive their award as a paper check will receive tax documents, if required, as an enclosure with the check.

32. Any mailed award payment checks that are returned as undeliverable will be skip traced, as described in Paragraph 16, and remailed.

33. Once Attorneys' Fees and Costs, Incentive Award, costs of notice and administration, and individual award payments have been paid and the final check negotiation deadline has passed, any residual funds remaining in the QSF will be disposed of in accordance with the Settlement Agreement.

### **CONCLUSION**

34. The Notice Program that Simpluris will execute is "the best notice that is practicable under the circumstances" of this case in accordance with Fed. R. Civ. P. 23; due process; and the notice guidelines published by the FJC.

35. Simpluris will administer the Settlement Agreement, including claims processing and award disbursement, as agreed to by the parties and approved by the Court, and in accordance with industry best practices and in full compliance with all applicable federal and state statutes and regulations.

I declare under penalty of perjury that the foregoing is true and correct.

Date: December 1, 2023

A handwritten signature in blue ink, appearing to read "Jacob J. Kamenir", is written above a horizontal line.

Jacob J. Kamenir